

Meeting Date: 08-26-08

# AGENDA REPORT

Agenda Item # 5A.7



City of Santa Clara, California



**DATE:** August 20, 2008

**TO:** City Manager for Council Action

**FROM:** Director of Public Works/City Engineer

**SUBJECT:** Resolution Establishing Overweight and Oversize Vehicle Loads Permit Fee

## EXECUTIVE SUMMARY:

Regulation of the transportation of oversize and overweight vehicle loads is being established pursuant to California Government Code, Section 35795. The purpose on city streets of the establishment of a permit fee and procedure is to protect City streets from unnecessary degradation and to protect the health, safety and welfare of the community. Staff prepared the required cost justification study and procedure associated with the fee and found that revenue generated by said fee will not be in excess of the estimated total cost incurred by the City in administering the oversize and overweight vehicle permit. The study and procedure are available for viewing at the City of Santa Clara City Hall Department of Public Works - Engineering located at 1500 Warburton Avenue in Santa Clara, California, during normal business hours. The attached Resolution has been approved by the City Attorney.

## ADVANTAGES AND DISADVANTAGES OF ISSUE:


The new oversize and overweight vehicle permit fee would allow the City to recover the cost incurred by the City in administering the oversize and overweight vehicle permit.

## ECONOMIC/FISCAL IMPACT:


The oversize and overweight vehicle permit fee amount is set at cost recovery.

## RECOMMENDATION:

That Council adopt a Resolution establishing the overweight and oversize vehicle loads permit fee and procedure at sixteen dollars (\$16.00) per single trip and ninety dollars (\$90.00) per year. The City Council may from time to time increase the permit fee by resolution. However, pursuant to the Public Resources Code or the City's costs to administer the program, the fee may not exceed the most current fee established by the California State Department of Transportation.

  
For Rajeev Batra  
Director of Public Works/City Engineer

Approved:

  
Jennifer Sparacino  
City Manager

*Documents Related to this Report: Resolution*

Rev. 02/26/08 I:\ENGINEERING\Draft\WP\Agenda\OversizedOverweightFee agn.doc

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SANTA CLARA, CALIFORNIA, ESTABLISHING PERMIT  
REQUIREMENTS FOR OVERWEIGHT AND OVERSIZE  
VEHICLES AND A FEE FOR SUCH PERMITS**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA,  
CALIFORNIA, AS FOLLOWS:**

**WHEREAS,** a permit requirement for the transportation of oversize and overweight vehicle loads within the City of Santa Clara hereby establishes pursuant to California Vehicle Code Section 35795, and any amendments thereto; and

**WHEREAS,** the purpose of establishment of a permit fee and procedure is to protect City streets from unnecessary degradation due to overweight and oversize wheel loads on the pavement or damage to existing facilities caused by overweight and oversize vehicle width or height, and thereby protecting the health, safety, and welfare of the community; and

**WHEREAS,** pursuant to California Vehicle Code Section 35795, the City prepared a fee study regarding the basis for the fee, and the Council hereby finds that the revenue generated by the fee will not be in excess of the estimated total cost incurred by the City in administering the overweight and oversize vehicle permit. A copy of the study is attached hereto as Exhibit A.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF SANTA CLARA, CALIFORNIA, AS FOLLOWS:**

1. The City of Santa Clara hereby establishes a permit requirement and fee for overweight vehicle(s) or oversize vehicle loads on City streets.
2. The City of Santa Clara hereby establishes the following fees:

A single trip fee of sixteen dollars (\$16.00), and an annual fee of ninety dollars (\$90.00).

3. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City Council of the City of Santa Clara hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 200\_\_, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: \_\_\_\_\_  
ROD DIRIDON, JR.  
CITY CLERK  
CITY OF SANTA CLARA

Exhibit: Fee Study

I:\ENGINEERING\Draft\WP\Agenda\Resolutions\Overweight & Oversize Load res.doc

**EXHIBIT A  
FEE STUDY**

**OVERWEIGHT AND  
OVERSIZE VEHICLE LOADS**

The City of Santa Clara established a permit fee for transporting overweight vehicle(s) or oversize vehicle loads on City streets. The fees are \$16 for a single trip, and an annual fee of ninety dollars (\$90.00). The City Council may from time to time increase the permit fee. However, pursuant to the Public Resources Code, the fee may not exceed that most current fee established by the California State Department of Transportation or the City's actual cost to administer the program.

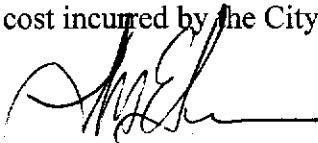
California Vehicle Code, section 35795 requires a cost justification study associated with said fee. This study found that revenue generated by said fee will not exceed the estimated total cost incurred by the City in administering the overweight and oversize vehicle permit, as follows:

The Traffic Engineering Division issues permits to individuals, trucking companies, or other companies that need to move an overweight or oversized load through the City of Santa Clara. The applicant will submit an application for review and approval before permit issuance. The Traffic Engineering Division will review the application for completeness, including information on load, height, width, length, weight, route, and date. The route is reviewed for clearance of overpasses and bridges. Alternate routes, hours of operation, pilot cars, and other restrictions may be imposed by the Traffic Engineering Division. The remittance check is reviewed for correct amount, correct agency (City, not County) and for signature. The permit is assigned a number and signed by Traffic Engineering Division staff, and issued to the applicant. Police Department staff will be responsible for enforcement of the requirements of the permit.

Processing time for each individual permit is approximately 30 minutes hour. The pay scale of the Traffic Engineering Division staff member is \$32<sup>1</sup> per hour or greater, therefore the administration of an individual permit equals or exceeds \$16.

Processing time for each annual permit is approximately three hours. The pay scale of the Traffic Engineering Division staff member is \$32 per hour or greater, therefore the administration of an annual permit equals or exceeds \$90.

In the Fiscal Year 2007-08 the Traffic Engineering Division issued 386 single over weight or oversize vehicle load permits and 73 yearly permits. The total fee collected was \$12,026. The cost incurred by the City to process these permits is estimated at \$12,464.

  
\_\_\_\_\_  
For Rajeev Batra  
Director of Public Works

8/19/08  
Date

<sup>1</sup> The hourly rate for staff reflects cash salary only and does not include any other benefit costs incurred by the City.

**CITY OF SANTA CLARA**  
**AGENDA MATERIAL ROUTE SHEET**

Council Date: 8-26-08

**SUBJECT:** Resolution for Overweight and Oversize Vehicle Loads

**CERTIFICATION**

The proposed Resolution regarding Overweight and Oversize Vehicle Loads has been reviewed and is hereby certified.

**PUBLICATION REQUIRED:**

The attached Notice/Resolution/Ordinance is to be published \_\_\_\_\_ time(s) at least \_\_\_\_\_ days before the scheduled meeting/public hearing/bid opening/etc., which is scheduled for \_\_\_\_\_, 200\_\_.

**AUTHORITY SOURCE FOR PUBLICATION REQUIREMENT:**

**Federal Codes:**

Title \_\_\_\_\_ U.S.C. § \_\_\_\_\_  
(Titles run 1 through 50)

**California Codes:**

Code \_\_\_\_\_ § \_\_\_\_\_  
(i.e., Government, Street and Highway, Public Resources)

**Federal Regulations:**

Title \_\_\_\_\_ C.F.R. § \_\_\_\_\_  
(Titles run 1 through 50)

**California Regulations:**

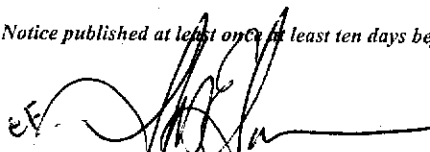
Title \_\_\_\_\_ California Code of Regulations § \_\_\_\_\_  
(Titles run 1 through 28)

**City**


City Charter § \_\_\_\_\_ (i.e., 1310. Public Works Contracts. Notice published at least once at least ten days before bid opening)

City Code § \_\_\_\_\_

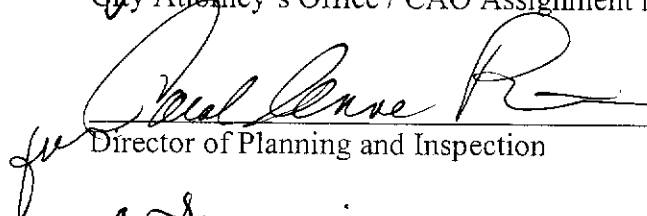
1. As to City Functions, by

  
FOR DPW  
\_\_\_\_\_  
Department Head

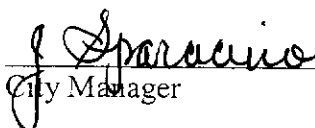
2. As to Legality, by

  
City Attorney's Office / CAO Assignment No 08. 0581

3. As to Environmental  
Impact Requirements, by

  
\_\_\_\_\_  
Director of Planning and Inspection

4. As to Substance, by

  
\_\_\_\_\_  
City Manager

Revision Date June 7, 2005